

Message Text

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11

ACTION NEA-12

INFO OCT-01 IO-14 ISO-00 SS-20 DEAE-00 CIAE-00 INR-10

JUSE-00 NSAE-00 RSC-01 SNM-02 SY-10 TRSE-00 USIA-15

NSC-10 SCI-06 OMB-01 H-03 AID-20 IGA-02 L-03 DODE-00

DRC-01 /131 W

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R 150420Z OCT 73

FM AMEMBASSY KATHMANDU

TO SECSTATE WASHDC 6554

INFO USMISSION GENEVA

AMEMBASSY NEW DELHI

C O N F I D E N T I A L KATHMANDU 4292

NEW DELHI FOR DEA LORENZ

E.O. 11652: GDS

TAGS: SNAR, NP

SUBJECT: NEPALESE NARCOTICS LEGISLATION

REF: KATHMANDU 4208

1. SUMMARY: NEPALESE INSPECTOR GENERAL OF POLICE BARAL TOLD DCM OCTOBER 14 THAT PASSAGE OF NARCOTICS CONTROL LEGISLATION WAS VIRTUALLY CERTAIN FOR WINTER SESSION OF NATIONAL PANCHAYAT. BARAL CLAIMS POLICE ALREADY ACTING AS IF LEGISLATION IN EFFECT. HE INDICATED HIS INTENTION TO CRACK DOWN, NOT ON DOMESTIC USERS OF NARCOTICS, BUT ON THOSE ENGAGED IN INTERNATIONAL TRAFFICKING. HE EXPRESSED HOPE HE COULD RECEIVE FIELD DRUG DETECTION KITS AT EARLIEST POSSIBLE DATE TO FACILITATE POLICE ENFORCEMENT EFFORTS. END SUMMARY.

2. DURING CALL OCTOBER 14 ON INSPECTOR GENERAL POLICE BARAL, DCM WAS TOLD THAT NO SIGNIFICANT OBSTACLES REMAINED IN WAY OF NARCOTICS LEGISLATION. IN BARAL'S VIEW PASSAGE OF NEW NARCOTICS LAW WAS VIRTUALLY CERTAIN AT WINTER SESSION OF NATIONAL PANCHAYAT. BARA
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SAID HE WAS PROCEEDING AS IF LAW WERE ALREADY IN EFFECT AS FAR

AS POLICE ENFORCEMENT WAS CONCERNED.

3. OUTLINING HIS PHILOSOPHY OF ENFORCEMENT BARAL SAID THAT IN HIS VIEW NARCOTICS POSED NO INTERNAL PROBLEM FOR NEPAL. ON OTHER HAND HE RECOGNIZED ITS SERIOUS IMPLICATIONS FOR OTHER COUNTRIES INCLUDING UNITED STATES, AND HIS EFFORTS IN FUTURE WOULD BE DESIGNED TO CURB THOSE WHO WERE ENGAGED IN INTERNATIONAL DRUG ACTIVITIES, WHETHER AS PRODUCERS, MIDDLE MEN OR AS TRAFFICKERS. HE EXPECTED THAT IT WOULD BE POSSIBLE TO IMPOSE FAIRLY SERIOUS SENTENCES ON TRAFFICKING, PERHAPS AS MUCH AS TEN YEARS IN PRISON. HE THOUGHT THIS WOULD HAVE DETERRENT EFFECT ON THOSE ENGAGED IN DRUG BUSINESS.

4. WITH RESPECT TO PRODUCTION OF NARCOTICS HE SAID THAT CONTROLS ALREADY WERE IN EFFECT, AND GON WOULD ISSUE NO NEW LICENSES FOR PRODUCTION OF EITHER CANNABIS OR OPIUM. SINCE NO NEPALESE FARMERS WERE EXCLUSIVELY DEPENDENT ON PRODUCTION OF THESE CROPS, HE THOUGHT THERE WOULD NOT BE SERIOUS PROBLEM IF PRODUCTION WERE STOPPED. FARMERS COULD EASILY SHIFT TO OTHER CROPS. BARAL INDICATED, HOWEVER, THAT HE DID NOT INTEND TO BE RESPONSIBLE FOR PRODUCTION CONTROLS, WHICH HE WAS RECOMMENDING TO PALACE BE HANDLED BY CUSTOMS OFFICIALS. HE ACKNOWLEDGED HE HAD ACCEPTED NECESSITY OF TAKING OVER ENFORCEMENT RESPONSIBILITY WITH RESPECT TO SALE AND TRAFFICKING.

5. IN CONCLUSION BARAL REITERATED HIS INTENTION OF CRACKING DOWN ON THOSE ENGAGED IN INTERNATIONAL TRAFFIC. HE ASKED THAT FIELD DRUG DETECTION KITS WHICH DEA REPRESENTATIVE LORENZ HAD PROMISED BE DISPATCHED TO HIM AS SOON AS POSSIBLE.

6. COMMENT: IT REMAINS TO BE SEEN WHETHER OR NOT LEGISLATION WILL BE PASSED IN WINTER SESSION OF PANCHAYAT. BARAL'S POSITIVE ATTITUDE IS ENCOURAGING. POLICE OFFICIALS SEEM TO BE GEARING UP TO ENFORCE BOTH FUTURE LEGISLATION AND LICENSING CONTROLS ALREADY IN EFFECT. WHILE WE CANNOT HAVE UNREALISTIC EXPECTATIONS OF INSTANT EFFECTIVENESS, POLICE ARE TAKING CONSTRUCTIVE ATTITUDE. TECHNICAL ASSISTANCE WHICH CAN BE PROVIDED FROM UN OR BILATERAL SOURCES, SUCH AS DETECTION KITS, LABORATORY EQUIPMENT, LIKELY TO INCREASE THEIR EFFECTIVENESS AND ABILITY TO EXERCISE AUTHORITY WHICH IS, OR WILL BE, THEIRS.

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